

CERTIFIED TRUE COPY

RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 10-6-94 cm

DEBORAH T. PORITZ
ATTORNEY GENERAL OF NEW JERSEY

By: Joyce Brown
Deputy Attorney General
Division of Law 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Tel. (201) 648-4738

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY
DOCKET NO.

| | | |
|---------------------------------|---|-----------------------|
| IN THE MATTER OF THE SUSPENSION | : | Administrative Action |
| OR REVOCATION OF THE LICENSE OF | : | |
| | : | CONSENT ORDER |
| MARSHALL ELPUS, D.D.S. | : | |
| | : | |
| TO PRACTICE DENTISTRY IN THE | : | |
| STATE OF NEW JERSEY | : | |
| | : | |

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon receipt of a patient complaint from Diana Levine concerning dental treatment performed by the respondent consisting, in pertinent part, of a new patient examination, prophylaxis and a gingival scaling and curettage in the upper right and lower right quadrants. Whereas the Board reviewed the entire record in this matter consisting of the patient chart, x-rays, and further information being acquired at an investigative inquiry attended by the respondent on July 20, 1994. Whereas it is alleged that respondent did not properly diagnose, x-ray, examine and treat the patient, and record the findings of the examination. It is alleged that the examination records and the x-rays provided did

not reveal evidence of periodontal disease, nor did they justify the treatment plan presented to this patient, and it appearing that the respondent while denying any liability or wrongdoing, desires to resolve this matter at this stage without recourse to any further proceedings and for good cause shown;

IT IS ON THIS 5 DAY OF October, 1994,

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall immediately waive the uncollected balance of One Hundred Fifty-Eight Dollars (\$158.00) due on his fee from Diana Levine. Respondent shall immediately notify the collection agent in writing that he is no longer pursuing collection of this debt and he shall submit to the Board and to Diana Levine a copy of the letter to the collection agency withdrawing the collection proceeding.

2. The respondent shall successfully complete fourteen (14) hours of continuing education in diagnosis and treatment planning. These courses shall be approved by the Board in writing prior to attendance utilizing the attached Pre-Approval Sheet, and the courses must be completed by February 1, 1995. Respondent also shall be required to complete the attached Continuing Education Report and Proof of Attendance as proof of successful completion of the required course work. The attached forms are made a part of the within Order, and a separate form is to be used for each course. The continuing education ordered herein shall be in addition to, and not a part of the mandatory continuing education required for licensees.

3. Respondent is hereby assessed a civil penalty in the amount of Two Hundred and Fifty (\$250.00) Dollars pursuant to the recordkeeping requirements of N.J.A.C. 13:30-8.7. The civil penalty shall be submitted to the State Board of Dentistry, 124 Halsey Street, 6th Floor, Newark, New Jersey, within thirty (30) days of the entry date of this Order, by certified check or money order payable to the State of New Jersey.

STATE BOARD OF DENTISTRY

By: Stephen Candio
Stephen Candio, D.D.S., President

I have read and understand
the within Order and agree
to be bound by its terms.
Consent is hereby given to
the Board to enter this Order.

Marshall Elpus
Marshall Elpus, D.D.S.